

Message Text

PAGE 01 NAIROB 06326 251006Z

17

ACTION AF-06

INFO OCT-01 EUR-12 ISO-00 SCS-03 L-03 H-02 SCA-01 DHA-02

PPT-01 SY-05 FBIE-00 IO-10 CIAE-00 DODE-00 PM-03

INR-07 NSAE-00 NSC-05 PA-01 PRS-01 SP-02 SS-15

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----- 065305

O 250900Z JUL 75 ZFF-1

FM AMEMBASSY NAIROBI

TO SECSTATE WASHDC NIACT IMMEDIATE 4186

AMEMBASSY ROME NIACT IMMEDIATE

AMEMBASSY COPENHAGEN NIACT IMMEDIATE

LIMITED OFFICIAL USE NAIROBI 6326

E.O. 11652: N/A

TAGS: CASC KE US

SUBJECT: GOK DEPORTS DR. CARL MCINTIRE

1. KENYAN VICE PRESIDENT MOI HAS JUST ANNOUNCED TO NATIONAL ASSEMBLY GOK DECISION TO DEPORT DR. CARL MCINTIRE, HEAD OF THE INTERNATIONAL COUNCIL OF CHRISTIAN CHURCHES WHICH HAS BEEN HOLDING A CONFERENCE IN NAIROBI ATTENDED BY 4,000 DELEGATES. MOI TOLD ASSEMBLY THAT "I AM GIVING NO DETAILS, BUT I AM RESPONDING TO THE OBVIOUS DESIRE OF THIS HOUSE AND PEOPLE OF THIS COUNTRY."

2. GOK OFFICIALS HAD BECOME INCREASINGLY IRRITATED SINCE CONERENCE BEGAN JULY 16 OVER SUBSTANCE OF PUBLIC STATEMENTS ISSUED BY MCINTIRE AND OTHER CONFERENCE PARTICIPANTS. KENYANS WERE PARTICULARLY UPSET OVER MCINTIRE'S ATTACKS ON RIVAL WORLD COUNCIL OF CHURCHES WHICH HE REPEATEDLY CLAIMED WAS COMMUNIST INFLUENCED. A STATEMENT IN A CONFERENCE BACKGROUND DOCUMENT INDICATING THAT RHODESIAN LEADER IAN SMITH WAS "AN UP-HOLDER OF CIVILIZATION" WAS A FURTHER IRRITANT. MCINTIRE'S ATTEMPT TO BRING SOLZHENITSYN HERE, LIMITED OFFICIAL USE
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PAGE 02 NAIROB 06326 251006Z

WHICH WAS TURNED DOWN BY GOK, ADDED FUEL TO FIRE.

3. FINAL STRAW CAME YESTERDAY WHEN MCINTIRE CALLED PRESS CONFERENCE TO RESPOND TO VICE PRESIDENT MOI'S BROADCAST

ON RADIO AND TELEVISION URGING MCINTIRE TO APOLOGIZE FOR REMARKS ATTRIBUTED TO HIS ORGANIZATION RE IAN SMITH. VICE PRESIDENT SAID MCINTIRE "MUST APOLOGIZE OR PACK UP AND GO." HOWEVER, MCINTIRE SAID THAT "IF THERE IS ANY APOLOGY TO BE MADE, IT IS KENYA'S MINISTRY OF FOREIGN AFFAIRS THAT SHOULD APOLOGIZE TO US FOR THE WAY THE PEOPLE THERE TREATED US." MCINTIRE THEN SAID, "I WILL PETITION THE UNITED NATIONS AND THE SENATE COMMITTEE FOR FOREIGN RELATIONS OF THE UNITED STATES OF AMERICA AND EXPLAIN IN DETAIL HOW BADLY WE WERE TREATED HERE." MCINTIRE ANNOUNCED THAT GOK HAD CANCELLED A PROCESSION OF CONFERENCE DELEGATES SCHEDULED TO TAKE PLACE TODAY AND SAID, "THIS SHOWS THAT FREEDOM HAS BEEN TAKEN AWAY FROM US AND MANY MONTHS TAKEN IN THE PLANNING OF THIS PROCESSION ARE NOW A WASTE, ALTHOUGH WE HAD BEEN GIVEN A PERMIT TO HOLD THE PROCESSION."

4. AT 0830 THIS MORNING I WAS PHONED BY ACTING FOREIGN MINISTRY PERMSEC KITI WHO SAID THAT GOK VERY UPSET BY MCINTIRE'S REMARKS IN HIS PRESS CONFERENCE, BUT FOR MOMENT DECISION HAD BEEN TAKEN NOT TO DEPORT HIM. HE PROMISED TO LET ME KNOW IF DEPORTATION DECISION TAKEN, BUT AT ABOUT 0930 MCINTIRE'S LAWYER PHONED ME FROM HOTEL 680 TO SAY THAT CHIEF IMMIGRATION OFFICER HAD ARRIVED AT HOTEL AND INSISTED THAT MCINTIRE ACCOMPANY HIM TO HIS OFFICE. I ASKED THEM TO WAIT UNTIL CONSULAR OFFICER CORONWAY COULD GET TO HOTEL AND ACCOMPANY HIM TO IMMIGRATION OFFICE. CORONWAY ACCCOMPANIED MCINTIRE TO STEPS OF IMMIGRATION OFFICE WHERE HE WAS SERVED WITH DEPORTATION ORDER AND WHISKED AWAY DIRECTLY TO AIRPORT WITHOUT BEING PERMITTED TO RETURN TO HIS HOTEL TO SEE HIS WIFE OR GET HIS BAGGAGE. MISS CORONWAY WAS FORCIBLY REMOVED FROM MCINTIRE'S CAR AND OBLIGED TO TAKE TAXI TO AIRPORT WHERE SHE WAS NOT PERMITTED TO SEE HIM. I SUBSEQUENTLY LEARNED THAT MCINTIRE WAS PUT ON BOARD EAST AFRICAN FLIGHT 656 AT 1045 BOUND FOR ENTEBBE, ROME AND COPENHAGEN. HE HAS NO MONEY, NO BAGGAGE, BUT DOES HAVE HIS PASSPORT.

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PAGE 03 NAIROB 06326 251006Z

5. I ATTEMPTED TO GET APPOINTMENT WITH VICE PRESIDENT MOI TO OBTAIN EXPLANATION AND PROTEST MANNER IN WHICH DEPORTATION CARRIED OUT, BUT HIS SECRETARY SAID THAT, AFTER MAKING DEPORTATION ANNOUNCEMENT HE LEFTS PASSPORT.

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PAGE 03 NAIROB 06326 251006Z

5. I ATTEMPTED TO GET APPOINTMENT WITH VICE PRESIDENT MOI TO OBTAIN EXPLANATION AND PROTEST MANNER IN WHICH DEPORTA-

TION CARRIED OUT, BUT HIS SECRETARY SAID THAT, AFTER MAKING DEPORTATION ANNOUNCEMENT HE LEFT PARLIAMENT DIRECTLY FOR STATE HOUSE, NAKURU. IN LINE WITH DEPARTMENT'S INSTRUCTIONS RE PREVIOUS EXPULSIONS OF U.S. CITIZENS, I AM MAKING IMMEDIATE PROTEST AT HIGHEST POSSIBLE LEVEL AT MINISTRY OF FOREIGN AFFAIRS DEPLORING MANNER IN WHICH EXPULSION CARRIED OUT. I WILL INDICATE THAT USG RECOGNIZES INHERENT RIGHT OF EACH SOVEREIGN TO EXCLUDE OR EXPEL ALIENS AT ANY TIME AND FOR ANY REASON, BUT POINT OUT THAT SUCH EXPULSIONS SHOULD NOT, CONSISTENT WITH GENERALLY RECOGNIZED PRINCIPLES OF INTERNATIONAL LAW, BE EFFECTED IN A MANNER WHICH DEPRIVES THE ALIEN OF MINIMUM PROTECTION. THESE PROTECTIONS INCLUDE BEING INFORMED OF THE REASONS FOR EXPULSION AND BEING PROVIDED AN OPPORTUNITY TO PROTECT HIS PROPERTY BEFORE LEAVING THE COUNTRY. THE EXPULSION OF DR. MCINTIRE, WHO WAS NOT EVEN PERMITTED TO RETURN TO HIS HOTEL TO PICK UP HIS BAGGAGE OR TO INFORM HIS WIFE OF WHAT WAS HAPPENING, CLEARLY DID NOT MEET THESE REQUIREMENTS. I WILL ALSO EXPRESS HOPE THAT IN FUTURE GOK WILL COMPLY WITH REQUIREMENTS IMPOSED BY INTERNATIONAL LAW WHEN DEALING WITH AMERICAN CITIZENS, POINTING OUT THAT USG AFFORDS SUCH TREATMENT TO KENYAN CITIZENS IN UNITED STATES.

6. FOR ROME AND COPENHAGEN: WE HAVE BEEN UNABLE AS YET TO LEARN WHERE MCINTIRE WILL BE DISEMBARKED. PLEASE HAVE EMBASSY OFFICER MEET AND PROVIDE APPROPRAITE ASSISTANCE IF HE DISEMBARKS AT EITHER POINT AND ADVISE US BY NIACT IMMEDIATE AS MRS. MCINTIRE AND OTHERS IN HIS PARTY UNDERSTANDABLY CONCERNED AND WILL PROBABLY WISH TO JOIN HIM.
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